

REGULAR MEETING OF THE COUNCIL OF THE CITY OF  
SAN DIEGO, CALIFORNIA - TUESDAY, MAY 13, 1976  
IN THE CHAMBERS OF THE COUNCIL - ADMINISTRATION BUILDING  
CHARLES C. DAIL CONCOURSE

Present-Councilmen Johnson, Hubbard, Williams, Gade, Ellis, Haro, and  
Mayor Wilson.

Absent--Councilmen O'Connor and Morrow.  
Clerk---Edward Nielsen.

Mayor Wilson called the Regular Meeting to order at 2:17 p.m.

(Item 1)

Roll Call was taken.

(Item 2)

Mayor Wilson introduced Chaplain Vaughn Lyons, Mission Hills United  
Church of Christ, who gave the Invocation.

(Item 3)

Councilman Williams led the Pledge of Allegiance.

(Item 4)

A communication from Mrs. John Thorpe Wells, President of the San Diego-Yokohama Sister City Society, requesting permission to address the Council regarding the Society's participation with the City in the selection of the architect, designer and contractor for the construction of the proposed authentic Japanese Garden in Balboa Park, was presented.

The Honorable Will C. Hippen, Jr., Consul General of Japan, appeared to speak regarding said communication.

On motion of Councilman Hubbard, the matter was referred to the City Attorney, City Manager and the Park and Recreation Board for a report to the Council and the San Diego-Yokohama Sister City Society.

There were no requests for continuances.

(Item 20)

The hour of 2:00 p.m. having arrived, the Mayor announced this was the time and place set for the hearing, continued from the Meetings of March 16 and 30, 1976, on the matter of rezoning a portion of Lot 36, Horton's Purchase, Ex-Mission Lands of San Diego, located at the southwest corner of the intersection

(Item 20 - Continued)

of 41st and Market Streets, from Zones R-2 and C to Zone M-1B.

City Manager McKinley presented his report.

Councilman Morrow entered the Chambers.

Director John Fowler, Engineering and Development Department, presented his report.

Verna Quinn, Southeast San Diego Development Committee and Attorney Phillip Isaacs appeared to speak in favor of the M-1B Zoning.

The motion of Councilman Williams to close the hearing and introduce the Ordinance for M-1B Zoning, received no vote at this time.

Jim Spotts, Engineering and Development Department, answered questions directed by the Council.

City Manager McKinley answered questions directed by the Council.

Deputy City Attorney Riess answered questions directed by the Council.

Renaldo Desaino appeared to speak in opposition to the M-1B Zoning.

The hearing was closed on motion of Councilman Williams.

A proposed Ordinance, rezoning a portion of Lot 36, Horton's Purchase, Ex-Mission Lands of San Diego, located at the southwest corner of the intersection of 41st and Market Streets; from Zones R-2 and C to Zone M-1B, was introduced on motion of Councilman Williams, by the following vote:

Yeas-Councilmen Johnson, Hubbard, Williams, Morrow, Gade, Ellis, Haro, and Mayor Wilson. Nays-None. Absent-Councilwoman O'Connor.

(Item 21)

The hour of 2:00 p.m. having arrived, the Mayor announced this was the time and place set for the hearing on the appeal of Dessau Clarkson, Stephen H. Clarkson, and Clem H. Abrams from the decision of the City Engineer in requiring, pursuant to granting a building permit, that the existing alley to the rear of appellants property be paved with a concrete surface. Said property is at 7601 Eads Avenue and is more particularly described as Lot 11, Block 21, La Jolla Park, located between Kline and Pearl Streets.

J. R. Crosby, Engineering and Development Department, presented his report and answered questions directed by the Council.

Dessau Clarkson appeared to speak in favor of granting the appeal.

J. R. Crosby, Engineering and Development Department, answered questions directed by the Council.

Deputy City Attorney Riess answered questions directed by the Council.

The motion of Councilman Johnson to close the hearing and deny the appeal, received no vote at this time.

Deputy City Attorney Riess answered questions directed by the Council.

Dessau Clarkson answered questions directed by the Council.

J. R. Crosby, Engineering and Development Department, answered questions directed by the Council.

The Council discussed the matter.

J. R. Crosby, Engineering and Development Department, answered questions directed by the Council.

The hearing was closed and the following Resolution adopted on motion of Councilman Johnson:

(Item 21 - Continued)

RESOLUTION 215715, denying the appeal of Dessau Clarkson, Stephen H. Clarkson and Clem H. Abrams from the decision of the City Engineer in requiring, pursuant to granting a building permit, that the existing alley to the rear of appellants' property be paved with a concrete surface; said property is 7601 Eads Avenue, between Kline and Pearl Streets, and is more particularly described as Lot 11, Block 21, La Jolla Park.

Mayor Wilson recessed the Meeting at 3:01 p.m. Upon reconvening at 3:17 p.m., the Roll Call showed Councilmen O'Connor and Williams absent.

(Item 22)

The hour of 2:00 p.m. having arrived, the Mayor announced this was the time and place set for the hearing, continued from the Meetings of February 18 and March 2, 1976, authorizing the City Manager to execute an Option to Lease Agreement with the Young Men's Christian Association of San Diego and San Diego County for the purpose of construction, operation and maintenance of a YMCA Community Center, in a portion of Pueblo Lot 1101; appraised at \$419,000; authorizing the City Manager to execute a Lease Agreement after all option terms and conditions have been performed and the option has been exercised.

Committee Consultant Wilken presented his report.

Myron Lewis, General Director, Young Men's Christian Association of San Diego and San Diego County, appeared to speak in favor of the lease.

Councilman Williams entered the Chambers.

Mr. Lucas De Witt appeared to speak in favor of the lease.

Mrs. Arlene Van de Wetering appeared to speak in opposition to the lease.

Mayor Wilson left the Chambers.

Acting Mayor Johnson assumed the Chair.

Mayor Wilson assumed the Chair.

Arthur Casey, Citizens Coordinate, appeared to speak in opposition to the lease.

Mrs. Marian Bear appeared to speak in opposition to the lease.

Russ Crane and Emit Hunt appeared to speak in favor of the lease.

Director William MacFarlane, Property Department, answered questions directed by the Council.

Senior Chief Deputy City Attorney Fitzpatrick answered questions directed by the Council.

(Item 22 - Continued)

Director William MacFarlane, Property Department, answered questions directed by the Council regarding the lease on the Downtown YMCA.

Senior Chief Deputy City Attorney Fitzpatrick answered questions directed by the Council regarding the lease on the new YMCA building.

Director William MacFarlane, Property Department, answered questions directed by the Council.

Senior Chief Deputy City Attorney Fitzpatrick answered questions directed by the Council regarding a sale fee simple which requires a vote by the people.

The Council discussed the matter.

City Manager McKinley and Senior Chief Deputy City Attorney Fitzpatrick answered questions directed by the Council.

The motion of Councilman Morrow to close the hearing; direct the City Manager and City Attorney to prepare two leases, one for the Mission Valley property to the YMCA and one for the 8th Street property to the City, and also a sublease from the City back to the YMCA for the 8th and C Street property, received no vote at this time.

The Council discussed the matter.

Mrs. Gallion appeared to speak regarding the need for a facility such as the YMCA building at 8th and C Street, for the retired people living in the Downtown area.

Senior Chief Deputy City Attorney Fitzpatrick answered questions directed by the Council regarding the need to hold a public hearing on this matter.

The Council discussed the matter at length.

Mrs. Arlene Van de Wetering appeared to speak and answered questions directed by the Council.

The hearing was closed on motion of Councilman Morrow.

The motion of Councilman Morrow to direct the City Manager and City Attorney to prepare two leases, one for the Mission Valley property to the YMCA and one for the 8th and C Street property to the City, and also a sublease from the City back to the YMCA for the 8th and C Street property, passed by the following vote: Yeas-Councilmen Johnson Morrow, Gade, Ellis, and Mayor Wilson. Nays-Councilmen Williams and Haro. Absent-Councilwoman O'Connor. Councilman Hubbard excused due to possible conflict of interest.

Senior Chief Deputy City Attorney Fitzpatrick answered questions directed by the Council regarding a public official who is a member of a non-profit organization voting on a matter concerning such a matter. He stated that there was no conflict of interest as far as Councilman Hubbard was concerned in the YMCA vote.

(Item 23 - Supplemental Docket #1)

A proposed Resolution, directing the City Manager to issue a one-day use permit to San Diego Flea Mart and Garage Sale, Inc., for the use of San Diego Stadium on May 16, 1976, was presented.

Councilman Haro presented the Public Services and Safety Committee Report.

The Council discussed the matter.

Dennis White, San Diego Flea Mart and Garage Sale, Inc., appeared to speak on the matter.

The motion of Councilman Haro to adopt the Resolution which approves the May 16, 1976 date and refer to the City Manager and City Attorney the matter of reviewing the Ordinance regarding the effect of Swap Meets on fencing

(Item 23 - Supplemental Docket #1 - Continued)

operations and refer that report to the Public Services and Safety Committee, received no vote at this time.

Dennis White answered questions directed by the Council.

City Manager McKinley answered questions directed by the Council regarding the number of police officers required for such an event and the types of violations.

The Council discussed the matter.

Senior Chief Deputy City Attorney Fitzpatrick answered questions directed by the Council.

The Council discussed the matter.

Dennis White answered questions directed by the Council.

City Manager McKinley answered questions directed by the Council regarding current City regulations governing such events.

Dennis White answered questions direct by the Council on the matter.

City Manager McKinley and Senior Chief Deputy City Attorney Fitzpatrick answered questions directed by the Council regarding the matter.

The Council discussed the matter at length.

On motion of Councilman Haro, the matter of reviewing the ordinance regarding the effect of Swap Meets on fencing operations was referred to the City Manager and City Attorney for a report, said report to be referred to the Public Services and Safety Committee, and the following Resolution was adopted by the following vote: Yeas-Councilmen Johnson, Hubbard, Williams, Morrow, Ellis, and Haro.- Nays-Councilman Gade and Mayor Wilson. Absent-Councilwoman O'Connor.

RESOLUTION 215716, directing the City Manager to issue a one-day use permit to San Diego Flea Mart and Garage Sale, Inc. for use of the San Diego Stadium on May 16, 1976.

There being no further business to come before the Council at this time, the Regular Meeting was adjourned at 5:18 p.m.

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Mayor of The City of San Diego, California

ATTEST:

Charles J. Delap  
City Clerk of the City of San Diego, California